

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DARRYL DOMINIC
WOODFORD and DARLENE
ANITA WOODFORD,
Plaintiffs,

v.

PENNY MARIE JULIA
WOODFORD,
Defendant.

Case No. 24-10166

F. Kay Behm
United States District Judge

Curtis Ivy, Jr.
United States Magistrate Judge

ORDER REGARDING DEFENDANT'S ADDRESS

This case is before the Court regarding the Defendant's address. Earlier, the Court ordered Plaintiffs to provide an address for Defendant and warned that failure to do so would result in dismissal of the case under Federal Rule of Civil Procedure 4(m). (ECF No. 11). Plaintiffs provided an Ohio address in response. (ECF No. 13). The United States Marshals Service ("USMS") attempted both mailed and personal service at that address; neither attempt was successful.

Plaintiffs then provided a new address for Defendant: Huron Heights Apartments, 1278 Medford Dr., Ypsilanti, MI 48198. (ECF No. 23). This address has no apartment number. The USMS cannot serve a person living in an apartment complex without an apartment number.

Given the deficient address, Plaintiffs are **ORDERED** to show cause why this case should not be dismissed for failure to provide a complete address for Defendant. As explained in a prior order, Federal Rule of Civil Procedure 4(m) says that if a defendant is not served within 90 days of filing the complaint, that defendant must be dismissed without prejudice. The Court must have an address to serve Defendant Penny Woodford. Plaintiffs' response to this Order must be filed **on or before December 3, 2024**. Alternatively, Plaintiffs can respond by providing a complete address. **Failure to respond or to provide a complete address will result in a report and recommendation to dismiss the defendant without prejudice under Rule 4(m) and/or for failure to prosecute under Federal Rule of Civil Procedure 41(b).**

IT IS SO ORDERED.

The parties here may object to and seek review of this Order, but are required to file any objections within 14 days of service as provided for in Federal Rule of Civil Procedure 72(a) and Local Rule 72.1(d). A party may not assign as error any defect in this Order to which timely objection was not made. Fed. R. Civ. P. 72(a). Any objections are required to specify the part of the Order to which the party objects and state the basis of the objection. When an objection is filed to a magistrate judge's ruling on a non-dispositive motion, the ruling remains in

effect unless it is stayed by the magistrate judge or a district judge. E.D. Mich.

Local Rule 72.2.

Date: November 6, 2024

s/Curtis Ivy, Jr.

Curtis Ivy, Jr.

United States Magistrate Judge

CERTIFICATE OF SERVICE

The undersigned certifies that this document was served on counsel of record and any unrepresented parties via the Court's ECF System or by First Class U.S. mail on November 6, 2024.

s/Sara Krause

Case Manager

(810) 341-7850